

LT. GOV. GARAMENDI QUESTIONS TOLL ROAD AGENCY PARTICIPATION IN SECRET MEETINGS WITH FEDERAL GOVT. AGENCIES

Foothill South Toll Road Opponents Raise Concerns About an Open, Transparent Public Process

LOS ANGELES – Citing serious concerns about the “extreme secrecy” surrounding the Transportation Corridor Agency (TCA) participation in a key federal interagency committee (formally known as the South Orange County Transportation Infrastructure Improvement Project – SOCTIIP – Collaborative), Lt. Governor John Garamendi sent a strongly worded letter to Jane Luxton, general counsel at the Department of Commerce’s National Oceanic and Atmospheric Administration requesting a more open, public process.

One of the main functions of the federal committee is to coordinate federal agency evaluation of alternatives to the Toll Road proposed to go through the Donna O’Neill Conservancy and San Onofre State Beach Park. As such, this important committee is in a position to determine whether or not new information regarding alternative is objectively considered.

In this June 11, 2008, letter, Lt. Gov. Garamendi stated, “My concern is that these deliberations, so critical to your [NOAA and the Dept. of Commerce’s] final analysis, are being finalized in an environment where ONLY the project applicant examines, presents, evaluates and comments upon evidence. There is no opportunity for the public to participate in or even witness discussions and deliberations.” “TCA is not a collaborative member, but an observer. The structure of the SOCTIIP Collaborative has created an untenable situation: a project proponent with interests that are potentially adverse to the public or in contravention of law, is provided exclusive permission to communicate freely with federal regulators sheltered from public scrutiny. This set up frustrates the purpose of open government and public records law,” added Lt. Gov. Garamendi.

To resolve this situation, Lt. Gov. Garamendi requests four things: that observers representing the public must be invited to attend and participate in each SOCTIIP collaborative meeting; that all previous and future meetings from Collaborative meetings must be released to the public; that a list of attendees to all Collaborative meetings be released to the public; and that all testimony, documentation and analyses of any kind be made publicly available within a reasonable time after each meeting.

“Given the Coastal Commission’s strong position in opposition to the toll road and the fact that more than 25,000 people have filed comments with the Department of Commerce expressing their views about this controversial project through a state park, it is extremely troubling that the TCA is meeting behind closed doors with federal regulators and that these meetings are completely shielded from the public,” stated Elizabeth Goldstein, president of the California State Parks Foundation and leading member of the Save San Onofre Coalition.

“The TCA has, time and again, sought to stifle public review and participation, and attempted to exert undue ‘behind the scenes’ influence on their deeply flawed toll road project,” added

Goldstein. “After TCA made a decision to appeal the Coastal Commission’s rejection of the toll road, TCA, a public agency, actually requested that the Department of Commerce not hold a public hearing – a request that was rejected. TCA should not be allowed to continue to meet secretly with federal agencies about the Foothill South Toll Road. The Collaborative’s deliberations should not be shrouded in secrecy but open to the public and transparent.”

BACKGROUND:

The Save San Onofre Coalition is a diverse coalition of individuals and groups that includes four former state parks commissioners, local, regional, state and national environmental organizations, cities, counties and elected officials statewide. For more information about the Save San Onofre Coalition, visit

www.savesanonofre.com

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Download the Letter: <http://www.ltg.ca.gov/images//toll%20road%20letter%20luxton%206-11-08.pdf>

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